

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

OSVALDO MUNOZ, *on behalf of himself,*
FLSA Collective Plaintiffs, and the Class,

Plaintiff,

-against-

THE GROUP US MANAGEMENT LLC
d/b/a THE GROUP NYC,
LA GRANDE BOUCHERIE LLC
d/b/a LA GRANDE BOUCHERIE
d/b/a KAISEKI ROOM,
OLIO RESTAURANTS LLC
d/b/a OLIO E PIU,
and EMIL STEFKOV,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 5/14/2024

1:22-cv-04038 (MKV)

ORDER

MARY KAY VYSKOCIL, United States District Judge:

The Court held a Status Conference in this matter on May 14, 2024. As discussed at the Conference, IT IS HEREBY ORDERED that:

1. Plaintiff is GRANTED leave to file a motion for conditional collective certification.

The briefing schedule on Plaintiff's motion shall be: motion due on or before May 24, 2024; opposition due on or before June 7, 2024; reply due on or before June 14, 2024.

2. The parties' discovery disputes [ECF Nos. 46, 52] are resolved as follows:

a. Defendants are ORDERED to provide Plaintiff the class size across the three restaurants included in the Complaint no later than May 21, 2024;

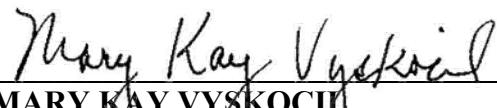
b. Defendants are ORDERED to produce to Plaintiff a ten-percent sampling of wage and tip records for front-of-house, tipped employees across the three restaurants included in the Complaint, on a timeframe to be negotiated between the parties;

- c. Plaintiff's request for the production of class contact information is DENIED without prejudice;
- d. Plaintiff is ORDERED to refine his request for the identity of ESI custodians. Once the list of ESI custodians has been resolved between the parties, Defendants are ORDERED to complete a reasonable search of the custodians' ESI within two weeks;
- e. Defendants are ORDERED to identify the managers of the three restaurants included in the Complaint and to provide available dates for the deposition of these witnesses, as well as for the deposition of Defendants' corporate representative Angela Wang, to Plaintiff no later than May 21, 2024;

3. The fact discovery deadline set forth in the Case Management Plan and Scheduling Order [ECF No. 45] is EXTENDED to 60 days following the Court's resolution of Plaintiff's pending motion for reconsideration;
4. Defendants shall respond to Plaintiff's settlement demand of May 10, 2024 no later than May 21, 2024. On the same date, the parties shall file a joint letter advising the Court of the status, but not the substance, of settlement. In the same letter, the parties may advise the Court if any of the deadlines in this Order have not been met.

SO ORDERED.

Date: May 14, 2024
New York, NY


MARY KAY VYSKOCIL
United States District Judge